



Let Justice preside and Candour investigate.

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BY

J. D. GILMAN,

To whom all Communications must be addressed; and if by mail, post paid.

POETRY.

FEMALE ATTIRE.

BY REV. S. W. FULLER.

Even the ornament of a meek and quiet spirit;
which is in the sight of God of great price.

Yes! the worthless may flatter, the silly admire,
When woman is dressed in her gaudy attire,
They clothe in a spirit all quiet and meek,
Are the only rich treasures she cherishes there,

But the choicest of gems, and the richest of gold,
May glow on a bosom all heartless and cold,
And the frail sons of earth, would, thrones to possess,
A brow sting with anguish, a heart with distress.

But the fairest of women, and wisest of them,
Adorn with a brighter and far nobler gem;
They clothe in a spirit all quiet and meek,
As the glorious apparel that beauty should seek.

And the Eye, that looks down from the throne
in the skies,
Beholds and approves the superlative prize;
And great in his sight is its price, we are told,
Above the rich brilliant in casket of gold.

To the peace of that bosom & light of that brow;
The hearts of the proudest and worthiest bow;
For they feel that such beauty comes down from above,
And lends the fair wearer the magic of love.



ANNO SECUNDO

VICTORIÆ REGINÆ.

CAP. II.

An Ordinance for authorizing the Seizing and Detaining for a limited time of Gunpowder, Arms, Weapons, Lead, and Munitions of War.

WHEREAS it is necessary, during the Insurrection & Rebellion now existing within the District of Montreal, to prevent Gunpowder, Arms, Lead, or other materials for making or casting Musket Bullets, Weapons and Munitions of War, from being acquired by or conveyed to the disaffected and rebellious within this Province, Be it therefore Ordained and Enacted by his Excellency the Administrator of the Government of this Province, authorized to execute the commission of the Governor thereof, by and with the advice and consent of the Special Council for the affairs of the said Province, constituted and assembled by virtue of and under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the first year of the reign of her present Majesty intituled 'An Act to make temporary provision for the Government of Lower Canada.' And it is hereby Ordained and Enacted by the authority aforesaid, that from and after the passing of this Ordinance it shall and may be lawful for any Justice of the Peace, Magistrate, or other person or persons whomsoever, by any of them authorized subject or subjects of her Majesty, to take possession of, seize and detain any gunpowder, arms, lead or other material for making or casting musket bullets, weapons, and munitions of war in the possession of any person or persons whomsoever within this Province, save and except such as are or may be in the hands and possession of her Majesty's Forces or of her Majesty's officers, or of persons holding the same under the authority of her Majesty's Government and to enter in, into, and upon any dwelling house, building of any kind whatsoever, lands and tenements to search for the same, and there to seize, attach and detain the same, and that it shall be the duty of the Justice, Magistrate, or other person or persons by any of them authorized, so seizing or taking, or causing to be arrested and taken away, such gunpowder, arms, lead or other materials for making or casting musket bullets, weapons and munitions of war, to convey the same or cause the same to be conveyed to the Police office in the cities of Montreal and Quebec and Town of Three Rivers, respectively, and to the office of the Clerk of the Peace, in the Village of Sherbrooke, as the case may be, or to some Military Post within the said District respectively, and to deliver them there, to the end that the same may be secured and disposed of in manner as to the authorities civil or military then and there being may determine.

II. And be it further Ordained & Enacted by the authority aforesaid, that any person or persons who shall resist or otherwise impede any such Justice of the Peace, Magistrate, Peace Officer, or other person or persons, whomsoever, subject or subjects of her Majesty, in the due execution of the provisions of this Ordinance, shall be guilty of a misdemeanor, and being thereof convicted on the oath of one witness before any Justice of the Peace, shall be committed to the common gaol without bail, or mainprize, for the space of three calendar months.

III. And be it further Ordained & Enacted by the authority aforesaid, that this Ordinance shall continue and be in force until the First day of January, One Thousand Eight Hundred and Forty, and no longer; and provided always that it shall be competent for the Governor, Lieutenant Governor, or person administering the Government of this Province, by and with the advice of the Executive Council, to limit by Proclamation the duration of this Ordinance to a period within the said date.

IV. And be it further Ordained & Enacted by the authority aforesaid, that an Ordinance of this Province, made and passed in the first year of the reign of her Majesty, intituled, 'An Ordinance to declare and ascertain the period when the Laws and Ordinances made and passed by the Governor, or person authorized to execute the Commission of Governor & Special Council of this Province, shall take effect,' be, and the same hereby is repealed as to this Ordinance only; and that this present Ordinance shall commence and have effect within the said Province, so soon as the Governor, or person authorized to execute the Commission of Governor of the said Province, shall have assented to and signed the present Ordinance.

J. COLBORNE.

Ordained and Enacted by the authority aforesaid, and duly passed in Special Council, at the Government House, in the City of Montreal, the eighth day of November, in the second year of the reign of our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, in the year of our Lord one thousand eight hundred and thirty eight.

By His Excellency's command.

W. B. LINDSAY,
Clerk Special Council.

ANNO SECUNDO.

VICTORIÆ REGINÆ.

CAP. III.

An Ordinance for the suppression of the Rebellion which unhappily exists within this Province of Lower Canada, and for the protection of the person and properties of her Majesty's faithful subjects within the same.

WHEREAS a traitorous conspiracy, for the subversion of the authority of her Majesty, and for the destruction of the Established Constitution and Government, hath unfortunately existed within this Province for a considerable time, and hath broken out in acts of the most daring and open Rebellion. And whereas his Excellency Sir John Colborne, Administrator of the Government of this Province, did lawfully, and by virtue of the authority in him reposed, by Proclamation, under his Hand and Seal at Arms, bearing date at the Government House, in the City of Montreal, the fourth day of this present month of November, declare Martial Law to be in force in the District of Montreal, in the said Province, and as well before as since the said declaration of Martial Law in the said Province, the said Rebellion did greatly extend inasmuch, that large bodies of armed Traitors, did openly array themselves, and make the most daring and violent attacks upon her Majesty's Forces, and upon other persons in authority, and committed the most horrid excesses and cruelties on the properties and persons of her Majesty's loyal subjects; and whereas the said Rebellion still continues to rage in said District of Montreal, and the parties therein concerned continue to desolate and lay waste the country, by the most savage and wanton violence, excess, and outrage, and the Civil Power is set at defiance, and the ordinary course of the justice and of the law of the land is stopped in the said District. And whereas it is expedient and necessary to provide a remedy for the speedy trial and punishment of persons offending in that behalf. Be it therefore Ordained and Enacted by his Excellency the Administrator of the Government of this Province, authorized to execute the Commission of the Governor thereof, by and with the advice and consent of the Special Council for the affairs of the said Province, constituted and assembled by virtue of and under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the first year of the reign of her Majesty, intituled 'An Act to make temporary provision for the Government of Lower Canada.' And it is hereby Ordained and Enacted by the authority aforesaid, that from and after the passing of this Ordinance, that no act of this Ordinance, or of the powers thereby granted, which shall be done in pursuance of it, shall be questioned in any of her Majesty's courts of justice in the said province.

III. And be it further Ordained & Enacted by the authority aforesaid, that if any person, who shall be detained in custody under the powers created by this Ordinance, shall sue forth a Writ of Habeas Corpus, it shall be a good and sufficient return to such Writ, that the party suing forth the same, is detained by virtue, and under the authority of this Ordinance, and that in answer to any such Writ of Habeas Corpus, it shall not be necessary to produce the body of the person or persons so detained in custody.

IV. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that nothing in this Ordinance contained, shall be construed to take away, abridge, or diminish the acknowledged prerogative of her Majesty, for the public safety, to resort to the exercise of Martial Law against open enemies or Traitors, or any powers by law vested in the Governor or Person Administering the Government of the said province, or of any other person or persons whomsoever, to suppress Treason and Rebellion, and to do any act, warranted by law, for the purpose, in the same manner as if this ordinance had never been made, or in any manner to call in question any acts heretofore done for the like purposes.

V. And be it further Ordained and Enacted, by the authority aforesaid, that it shall and may be lawful for the Governor or Person Administering the Government of this Province, by proclamation, under his Hand and Seal at Arms, from time to time, to extend all and every, the provisions of the present Ordinance, to any other Districts, or parts of this province, for such period or periods of time as to him may seem meet.

VI. And be it further Ordained and Enacted, by the authority aforesaid, that this Ordinance shall continue and be in force until the first day of June next, & no longer.

VII. And be it further Ordained and Enacted, by the authority aforesaid, that

an Ordinance of this province, made and passed in the first year of the Reign of her Majesty, intituled, 'An Ordinance to declare and ascertain the period when the Laws and Ordinances made and passed by the Governor, or person authorized to execute the commission of Governor and Special Council of this province shall take effect,' be, and the same is hereby repealed, as to this Ordinance only; and that this present Ordinance shall commence & have effect within the said Province, so soon as the Governor or person authorized to execute the Commission of Governor of the said province shall have assented to and signed this present Ordinance.

J. COLBORNE.

Ordained and enacted by the authority aforesaid, and duly passed in Special Council, at the Government House, in the City of Montreal, the eighth day of November, in the second year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, and in the year of our Lord, one thousand eight hundred and thirty eight.

By His Excellency's command.

W. B. LINDSAY,
Clerk Special Council

ANNO SECUNDO

VICTORIÆ REGINÆ.

CAP. IV.

An Ordinance to authorize the apprehension and detention of persons charged with High Treason, Suspicion of High Treason, Misprision of High Treason and Treasonable practices, and to suspend, for a limited time, as to such persons, a certain Ordinance therein mentioned, and for other purposes.

WHEREAS, divers persons charged with High Treason, Suspicion of High Treason, Misprision of High Treason and Treasonable practices, are detained in prison or in custody in this Province, and it is highly expedient and necessary that means should be provided for the more easily apprehending and more secure detention of such persons for a limited time, and of others who may be suspected or charged with such crimes: Therefore, for the better preservation of the peace and of the laws and liberties of this Province, be it therefore Ordained and Enacted by His Excellency the Administrator of the Government of this Province, authorized to execute the commission of the Governor thereof, by and with the advice and consent of the Special Council for the affairs of the said Province, constituted and assembled by virtue of and under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the first year of the Reign of Her present Majesty, intituled 'An Act to make temporary provision for the Government of Lower Canada,' and it is hereby Ordained and Enacted by the authority of the same, that all or any persons that are or shall be in prison or otherwise in custody in this Province at or upon the day of the making and passing of this Ordinance, or after, by any warrant for High Treason, Suspicion of High Treason, Misprision of High Treason, or treasonable practices, may be detained in safe custody, without bail or mainprize, during the continuance of this Ordinance, and that no Judge or Justice of the Peace shall, during such continuance bail, or try any person or persons so committed, without an order from the Governor or Person Administering the Government of this Province, by and with the advice and consent of the Executive Council of the said Province, any Law, Ordinance, or Statute to the contrary notwithstanding.

II. And be it further Ordained and Enacted by the authority aforesaid, that the Ordinance of the Governor in Chief of this Province, made and passed by and with the advice and consent of the Legislative Council of the said Province, in the twenty fourth year of the Reign of His late Majesty, King George the Third, intituled, 'An Ordinance for securing the liberty of the subject, and for the prevention of imprisonment out of this Province,' in so far as the same may be construed to relate to cases of High Treason, Suspicion of High Treason, Misprision of High Treason and Treasonable practices, be suspended until the first day of June next, and that until the said day, no Judge, Justice of the Peace, or other Officer of the Law in this Province, shall liberate, try or admit to bail any person or persons that is, are, or shall be in prison, committed or in custody within the said Province for such causes aforesaid, without an order from the Governor, or person administering the Government of the said province; provided always that from and after the said first day of June next, the said person so committed

in prison or in custody, shall have the benefit and advantage of all Laws, Ordinances, and Statutes any way relating to, or providing for the liberty of Her Majesty's subjects in this Province.

III. And be it further Ordained and Enacted, that this present Ordinance shall continue unto the said first day of June next, and no longer.

IV. And be it further Ordained and Enacted, that it shall be lawful for the Governor, or person administering the Government of the said Province, from time to time, and at such times, and for and during such periods of time, as to him may seem meet, to suspend this present Ordinance, and the operation thereof in any one or more of the Districts of this province, or in any part or parts thereof, by Proclamation under the Great Seal of said Province in that behalf, and that this present Ordinance shall be suspended as to any one or more of the said Districts or parts of the said Province, from the day of the date of such proclamation or proclamations, for and during the period or periods in such proclamation or proclamations, defined and declared.

V. And be it further Ordained and Enacted by the authority aforesaid, that an Ordinance of this province, made and passed in the first year of the Reign of her Majesty, intituled 'An Ordinance to declare and ascertain the period when the Laws and Ordinances made and passed by the Governor or person authorized to execute the Commission of Governor, and Special Council of this province, shall take effect,' be, and the same is hereby repealed as to this Ordinance only, and that this present Ordinance shall commence and have effect within the said province, so soon as the Governor or person authorized to execute the Commission of Governor of the said province shall have assented to and signed this present Ordinance.

J. COLBORNE.

Ordained and enacted by the authority aforesaid, and duly passed in Special Council, at the Government House, in the City of Montreal, the eighth day of November, in the second year of our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, and in the year of our Lord one thousand eight hundred and thirty eight.

By His Excellency's command.

W. B. LINDSAY,
Clerk Special Council.

DECLARATION.

Whereas the solemn covenant made with the people of Lower and Upper Canada, and recorded in the Statute Book of the United Kingdom of Great Britain and Ireland, as the 31st Chapter of the act passed in the 31st year of the Reign of King George III, hath been continually violated, by the British Government, and our rights usurped; and whereas our humble petitions, addresses, protests and remonstrances against this injurious and unconstitutional interference have been made in vain, that the British Government hath disposed of our revenue without the constitutional consent of the local Legislature, pillaged our Treasury, arrested great numbers of our citizens, and committed them to prison, distributed through the country a mercenary army, whose presence is accompanied by consternation and alarm, whose track is red with the blood of our people, who have laid our villages in ashes, profaned our Temples, and spread terror and waste through the land; And whereas we can no longer suffer the repeated violations of our dearest rights, and patiently support the multiplied outrages and cruelties of the Government of Lower Canada, WE, in the name of the People of Lower Canada, acknowledge the decrees of a divine providence which permits us to put down a Government which hath abused the object and intention for which it was created, and to make choice of that form of Government which shall re-establish the empire of justice, assure domestic tranquillity, provide for common defence, promote general good, and secure to us and our posterity the advantage of civil and religious liberty.

SOLENNLY DECLARE;

I. That from this day forward, the PEOPLE OF LOWER CANADA are absolved from all allegiance to Great Britain, and that the political connexion between that power and Lower Canada is now dissolved.

2. That a REPUBLICAN form of Government is best suited to Lower Canada which is this day declared to be A REPUBLIC.

3. That under the Free Government of Lower Canada, all persons shall enjoy the same rights; the Indians shall no longer be under any civil disqualification, but shall

